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instances, 3 of them with δέ. When Mr. Drewitt makes a fresh comparison bearing this point in mind, it will be time to answer him. He should be more careful how he invites peeps, even "for fun," and beware how he audaciously charges Homer with being "so thoughtless in distributing his examples." It is not Homer who nods, but his critic who misrepresents him.

And so on. Is it necessary to go farther and to waste more time? Certainly not. I exposed the futility of Mr. Drewitt's statistics and of his deductions from them in my first paper, and here they are again more futile than ever. And his method is unchanged. He still assumes "shifts," still "clings despairingly" to the similes and the νῦν cases, still declines to see the vital distinction which I pointed out to him between the two kinds of "speech." He ends by suggesting that Unitarians should ignore statistics. He would be well advised himself to give them up. He generally fails to see their real significance.

A. SHEWAN

ST. ANDREWS
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NOTE ON ARISTOTLE'S *DE ANIMA* 403a 23

ἔτι δὲ τοῦτο μᾶλλον φανερόν · μηθενὸς γὰρ φοβεροῦ συμβαίνοντος ἐν τοῖς πάθεσι γίνονται τοῖς τοῦ φοβουμένου.

After ἔτι δέ the preposition διά has probably fallen out by haplography. Hicks lxxvii gives many examples of the tendency of E to omit small words, and διά would be hardly distinguishable from δέ. Its reinstatement here restores, I think, a much-vexed passage, which Torstrick's τοῦτου μᾶλλον and Christ's τούτῳ μᾶλλον do not cure, though the latter points the way.

Aristotle has given one proof of the interdependence of mind and body. He introduces a still stronger confirmation with the words: ἔτι δὲ <διά> τοῦτο μᾶλλον φανερόν. Cf. Themistius, περὶ ὕπνου, p. 257, 5, Spengel, ἔτι δὲ καὶ ἐκ τῶνδε δῆλον. φῖ γάρ, etc. The forward reference of τοῦτο of course presents no difficulty. Cf. *Gen. An.* 747b 28, λέγω δὲ λογικὴν διὰ τοῦτο ὅτι, etc. The γάρ of the clause μηθενὸς γὰρ φοβεροῦ is explicative of διὰ τοῦτο. It is the analogue in an argument of the so-called narrative γάρ. The editions seem to me for the most part to blink the difficulty. Hicks, retaining the vulgate, apparently translates as if he had my text: "Still more is this evident from the fact that," etc.

PAUL SHOREY

THE BACKGROUND OF THE *LEX MANILIA*

Cicero's *Pro lege Manilia* frankly says that the Roman *equites*, the middle-class nobility of wealth, were deeply interested in placing Pompey in command of the war against Mithridates. This interest, Cicero implies, was

wholly due to a desire for peace, in order that legitimate business investments in Asia might be safe. Now since Pompey, when appointed, proved to be an expansionist and since he furthered the interests of the *equites* in his organization of the new provinces which he created, the inference has been drawn that the *equites* probably knew beforehand that Pompey would favor them. Perhaps it is worth while to point out that we need not rely solely upon inferences; and that at least two acts of Pompey before 66, when rightly interpreted, completely reveal the program he was ready to pursue, namely, his restoration of the censorship in 70, and his seizure of a part of Syria in 67.

We know that Sulla put an end to the publican extortions in Asia by substituting the Attalid system of tax-gathering for the Gracchan *ensoria locatio* in 84 (Cic. *Ad Quint. Fr.* i. 1. 33). We know also that when Cicero published his third Verrine (70-69) the Gracchan system had been restored to the advantage of the *equites* (Verr. iii. 12). Marquardt infers that this restoration was made soon after Sulla's death (*Staatsverw.*, II, 338), but I think we can definitely credit it to the consulship of Pompey in the year 70. Cicero happens to mention that the *locatio* in Sicily for the year 75 was made by consuls and not by censors (*consules . . . vendituros*, Verr. iii. 18). When we consider that the senate was in control of Roman politics between 80 and 70, that during this period it kept the knights in subjection, and that from 74 to 70, Lucullus, the enemy of the knights, managed the Asiatic finances according to his own ideas, we can hardly refer the change to any year before 70. In that year, however, Pompey—who had been elected to the consulship by the plutocratic-democratic *bloc*—gave back judiciary rights to the *equites*. He also restored the censorship to its former functions (Cic. *In Caec.* 8; Livy *Epit.* 98). Since the consuls had the *locatio* in 75 and the censors have it restored to them in 70-69 (Verr. iii. 12 and 18) the change must be due to the same law which gave back the other functions to the censors. In other words, with the restoration of the censorship in 70 went the Gracchan system of tax-farming in Asia and the privileges to the *equites* which that system involved. All this explains the peculiar remark which Cicero made while the bill was pending in 70: "the censorship, formerly an unpopular institution, is now included in the *popular* program because of the universal displeasure with the senatorial courts" (*In Caec.* 8). In short, it was the *equites* who had desired the censorship (as they desired judiciary rights) because it would restore them the privilege of exploiting Asia. And it was Pompey who gave it to them in 70.

The second act to which I referred proved Pompey a radical expansionist as early as the year 67. It will be remembered that Tigranes of Armenia had seized Syria in 83, taking it from Antiochus, a "friend" of Rome; and that Sulla, then very busy at home, had made no effort to recover it for Antiochus. Fourteen years later, Lucullus, while in pursuit of Mithridates in Armenia, met Tigranes in battle, defeated him, and compelled him to

restore Syria to Antiochus. Many Romans felt that Lucullus was needlessly generous to Antiochus in this matter, since that monarch had long ago forfeited his claims to his kingdom, and since Rome might justly claim Syria by right of conquest. However, Lucullus was a consistent senatorial and had little liking for expansion. The next year Pompey came east in pursuit of the Aegæan pirates. He immediately showed what he thought of Lucullus' cession of Syria by bluntly seizing part of it, the eastern Cilician plain, and planting four colonies of captured pirates upon it.¹ Nothing could have demonstrated to the knights more clearly than this that Pompey accepted the principle—which Lucullus did not—that conquest established ownership. According to such a principle Rome had a right not only to Syria but also to Pontus, Paphlagonia, Galatia, Cappadocia, and much else.

We may conclude, therefore, even without assuming any secret understanding between Pompey and his supporters at home, that the *equites* knew that Pompey was acting upon a principle which would greatly increase the empire, and, moreover, that he was ready to extend the tax-farming system—so profitable to them—as far as his conquests went. We know, of course, that he did not disappoint his hungry friends. He extended the eastern territory till the Roman revenue from that source was four times what it had been before, and he abandoned it all to the tender mercies of the publicans: to be sure, he placed some checks upon the system which Gracchus had not, but these checks, after all, could be readily avoided. He introduced the system even into the province of Cilicia² which was wholly outside of the field of war.

BRYN MAWR

TENNEY FRANK

NOTE ON JUVENAL x. 188-89

"da spatium uitae, multos da, Juppiter, annos"
hoc recto uultu, solum hoc et pallidus optas.

The burden of the prayer in this passage can be comprehended by even the most skeptical, but the sketch of the petitioner, through the very breadth and boldness of its lines, fails to convey a uniformly clear-cut conception of his appearance and attitude. The interpretations of the second line that have been offered would vie in number and variety with those of the bewildering productions of the cubist and futurist schools of art. The range of these interpretations has been searchingly surveyed by my lamented friend and

¹ Historians have apparently failed to notice the significance of this act. The "Cilician plain" did not yet belong to Rome. It had been a part of Syria ever since the treaty of 188 (Polyb. xxi. 45, Appian *Syr.* 48, *Mith.* 118). Two years after Pompey took forcible possession of it, he accepted it by formal cession together with the rest of Syria from Tigranes; see Livy *Epit.* 101.

² The tax-system in vogue in Cilicia during Cicero's proconsulship (51 B.C.) bears all the characteristics of Pompey's combination of Attalid and Gracchan ideas. See Cic. *Ad Att.* v. 13. 1 and 16. 2.